

DRAFT ELEVATOR LICENSING RULES

~~January 16~~February 17, 2003

Underline = New Language

Strikeout = Deleted Language

PROPOSED CHANGES

PART A - ADMINISTRATIVE

WAC 296-96-00500 Scope, purpose, and authority. This chapter is authorized by chapter 70.87 RCW covering elevators, lifting devices, ~~and~~ moving walks, and other conveyances. The purpose of this chapter is to:

- (1) Provide for the safe mechanical and electrical operation, construction, installation, alteration, maintenance, inspection, relocation, and repair of conveyances; ~~and~~
- (2) Ensure that all such operation, construction, installation, alteration, inspection, and repair subject to the provisions of this chapter will be reasonably safe to persons and property and in conformity with the provisions of this chapter and the applicable statutes of the state of Washington-; and
- (3) Establish the minimum standards for becoming a licensed elevator contractor and/or licensed elevator mechanic performing work on elevators or other conveyances covered by chapter 70.87 RCW and this chapter.

WAC 296-96-00600 What rules apply to your conveyance? Elevators and other conveyances must comply with the rules adopted by the department that were in effect at the time the conveyance was permitted, regardless of whether the rule(s) has been repealed, unless any new rule specifically states that it applies to all elevators, regardless of when the elevator was permitted. Copies of previous rules adopted by the department are available upon request.

Please note, if the elevator is altered it must comply with all of the applicable rules adopted by the department in effect at the time the conveyance was altered.

WAC 296-96-00650 Which National Elevator Codes and Supplements has the department adopted?

NATIONAL ELEVATOR CODES AND SUPPLEMENTS ADOPTED

TYPE OF CONVEYANCE	NATIONAL CODE AND SUPPLEMENTS	DATE INSTALLED FROM	TO	COMMENTS
Elevators, Dumbwaiters, Escalators	American Standard Safety Code (ASA) A17.1, 1960	Prior to 11/1/1963		Adopted Standard Part X of ASA applies to all installations in existence prior to 11/1/63.
Elevators, Dumbwaiters, Escalators	American Standard Safety Code (ASA) A17.1, 1960	11/1/1963	12/29/1967	Adopted Standard
Moving Walks	American Safety Association A17.1.13, 1962	11/1/1963	12/29/1967	Adopted Standard

Elevators, Dumbwaiters, Escalators, and Moving Walks	U.S.A. Standards (USAS) USAS A17.1, 1965; Supplements A17.1a, 1967; A17.1b, 1968; A17.1c, 1969;	12/30/1967	2/24/1972	Adopted Standard USAS 1965 includes revision and consolidation of A17.1.1, 1960, A17.1a, 1963, and A17.1.13, 1962. Adopted code and supplements, excluding Appendix E and ANSI 17.1d, 1970.
Elevators, Dumbwaiters, Escalators, and Moving Walks	American National Standard Institute ANSI A17.1, 1971	2/25/1972	6/30/1982	Adopted Standard as amended and revised through 1971.
Elevators, Dumbwaiters, Escalators, and Moving Walks	ANSI A17.1, 1971; A17.1a, 1972	2/25/1972	6/30/1982	Adopted Supplement
Elevators, Dumbwaiters, Escalators, and Moving Walks	ANSI A17.1, 1981	7/1/1982	1/9/1986	Adopted Standard
Elevators, Dumbwaiters, Escalators, and Moving Walks	ANSI A17.1a, 1982	3/1/1984	1/9/1986	Adopted Supplement
Elevators, Dumbwaiters, Escalators, and Moving Walks	ANSI A17.1b, 1983	12/1/1984	1/9/1986	Adopted Supplement, except portable escalators covered by Part VIII of A17.1b, 1983.
Elevators, Dumbwaiters, Escalators, and Moving Walks	ANSI A17.1, 1984	1/10/1986	12/31/1988	Adopted Standard Except Part XIX. After 11/1/1988 Part II, Rule 211.3b

				was replaced by WAC 296-81-275.
Elevators, Dumbwaiters, Escalators, and Moving Walks	ANSI A17.1a, 1985	1/10/1986	12/31/1988	Adopted Supplement
Elevators, Dumbwaiters, Escalators, and Moving Walks	ANSI A17.1b, 1985; A17.1c, 1986; A17.1d, 1986; and A17.1e, 1987	12/6/1987	12/31/1988	Adopted Supplement
Elevators, Dumbwaiters, Escalators, and Moving Walks	ANSI A17.1, 1987	1/1/1989	12/31/1992	Adopted Standard Except Part XIX and Part II, Rule 211.3b. WAC 296-81-275 replaced Part II, Rule 211.3b.
Elevators, Dumbwaiters, Escalators, and Moving Walks	ANSI A17.1, 1990	1/1/1993	2/28/1995	Adopted Standard Except Part XIX and Part V, Section 513. Chapter 296-94 WAC replaced Part V, Section 513.
Elevators, Dumbwaiters, Escalators, and Moving Walks	ANSI A17.1, 1993	3/1/1995	6/30/1998	Adopted Standard Except Part XIX and Part V, Section 513. Chapter 296-94 WAC replaced Part V, Section 513.
Elevators, Dumbwaiters, Escalators, and Moving Walks	ASME A17.1, 1996	6/30/1998	<u>Current Effective date of these rules</u>	Adopted Standard Except Part V, Section 513.
<u>Elevators, Dumbwaiters, Escalators, and Moving Walks</u>	<u>ASME A17.1, 2000</u>	<u>Effective date of these rules</u>	<u>Current</u>	<u>Adopted Standard Except</u>
<u>Safety</u>	<u>ASME</u>	<u>Effective date of</u>	<u>Current</u>	<u>Adopted</u>

Standards for Platform Lifts and Stairway Chairlifts	A18.1, 1999	these rules	Standard
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Safety Standards for Platform Lifts and Stairway Chairlifts	ASME A18.1b, 2001	Effective date of these rules	Current Adopted Addenda
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Note: Copies of codes and supplements can be obtained from The American Society of Mechanical Engineers, Order Department, 22 Law Drive, Box 2900, Fairfield, New Jersey, 07007-2900 or by visiting www.asme.org.

WAC 296-96-00700 Chapter definitions. The following ~~general~~ definitions apply to this chapter:

"ANSI" means the American National Standard Institute.

"ASA" means the American Safety Association.

"ASME" means the American Society of Mechanical Engineers.

"Acceptable proof" Refers to the documentation that must be provided to the department during the elevator contractor and mechanic license application and renewal process. Acceptable proof may include department approved forms documenting years of experience, affidavits, letters from previous employers, declarations of experience, education credits, copies of contractor registration information, etc. Additional documentation may be requested by the department to verify the information provided on the application.

"Advisory committee" means the elevator advisory committee as described in chapter 70.87 RCW and WAC 296-96-00800;

"Automobile parking elevator" means an elevator that is located in either a stationary or horizontally moving hoistway and is used exclusively for parking automobiles.

(a) During the parking process, each automobile moves onto or off of the elevator under its own power or by a power driven transfer device into parking spaces or cubicles directly in line with the elevator.

(b) Normally, no person is stationed on any level except the receiving level.

"Belt manlift" means a power-driven endless belt with steps or platforms and handholds used for the transportation of personnel from floor to floor.

"Boat launching elevator" means an elevator that:

(a) Serves a boat launching structure and a beach or water surface; and

(b) Is used for carrying or handling boats in which people ride.

"Casket lift" means a lift that:

(a) Is installed at a mortuary;

(b) Is designed exclusively for carrying caskets;

(c) Moves in guides in basically a vertical direction; and

(d) Serves two or more floors or landings.

"Code" refers to nationally accepted codes (i.e. ASME, ANSI, ASA, and NEC) and/or the Washington Administrative Code.

"Conveyance" means an elevator, escalator, dumbwaiter, belt manlift, automobile parking elevator, moving walk, as well as, other elevating devices defined in this chapter.

"Department" means the department of labor and industries.

"Director" means the director of the department or the director's representative.

"Direct-plunger hydraulic elevator" means a hydraulic elevator with a plunger or cylinder attached to the car frame or platform.

"Dumbwaiter" means a hoisting and lowering mechanism equipped with a car that:

- (a) Moves in guides in substantially a vertical direction;
- (b) Has a floor area that does not exceed 9 square feet;
- (c) Has an inside height that does not exceed 4 feet;
- (d) Has a capacity that does not exceed 500 pounds; and
- (e) Is used exclusively for carrying materials.

"Electric elevator" means an elevator powered by an electric driving machine.

"Electro-hydraulic elevator" means a direct-plunger elevator where a pump driven by an electric motor pumps liquid, under pressure, directly into the cylinder.

"Elevator" means:

- (1) A hoisting or lowering machine;
- (2) Equipped with a car or platform that moves in guides; and
- (3) Services two or more floors or landings of a building or structure.

"Elevator contractor license" means a license that is issued to a person who has met the qualification requirements established in chapter 70.87 RCW and this chapter.

"Escalator" means a power-driven inclined continuous stairway used for raising and lowering passengers.

"Elevator helper/apprentice" means a person who works under the general direction of a licensed elevator mechanic. A license is not required to be an elevator helper/apprentice.

"Elevator mechanic" means any person who possesses an elevator mechanic license in accordance with this chapter and who is engaged in erecting, constructing, installing, altering, serving, repairing, or maintaining elevators or related conveyances covered by this chapter.

"Elevator mechanic license" means a license that is issued to a person who has met the qualification requirements established in chapter 70.87 RCW and this chapter.

"Escalator" means a power-driven, inclined, continuous stairway used for raising and lowering passengers.

"Existing installations" means all conveyances that are installed and are required to be inspected by the department under chapter 70.87 RCW and this chapter.

"Freight elevator" means an elevator:

- (a) Used primarily for carrying freight; and
- (b) Whose passengers are limited to the operator, people needed to load and unload freight, and other employees approved by the department.

"General direction" means the necessary education, assistance, and supervision provided by a licensed elevator mechanic (in the appropriate category) that is on the same job site as the helper/apprentice at least seventy-five percent of each working day.

"Hand elevator" means an elevator where manual energy moves the car.

"Hydraulic elevator" means an elevator powered by a plunger or piston moved by pressurized liquid in a cylinder.

"Inclined elevator" means an elevator that travels at an inclined angle of 70 degrees or less from the horizontal.

"Inspector" means a department elevator inspector or an inspector in a municipality with an elevator ordinance in effect according to RCW 70.87.200.

"License" means a written license, duly issued by the department, authorizing a person, firm, or company to carry on the business of erecting, constructing, installing, altering, servicing, repairing, or maintaining elevators or related conveyances covered by this chapter.

"Licensee" means the elevator mechanic or elevator contractor.

"Limited-use/limited-application elevator (LULA)" means a powered passenger elevator whose use and application is limited by size, capacity, speed, and rise. It is principally used for vertically transporting people with physical disabilities.

"Maintained-pressure hydraulic elevator" means a direct-plunger elevator where pressurized liquid is always available for transfer into the cylinder.

"Material hoist" means a hoist that is:

- (a) Not part of a permanent structure;
- (b) Installed inside or outside buildings during construction, alteration, or demolition;
- (c) Used to raise or lower materials associated with the building project; and

"Material lift" means a lift that is not part of a conveying system and is:

- (a) Permanently installed in a commercial or industrial area;
- (b) Not accessible to the general public or intended to be operated by the general public.

"Moving walk" means a passenger-carrying device on which:

- (a) Passengers stand or walk; and
- (b) The carrying surface remains parallel to its direction of motion.

"Multi-deck elevator" means an elevator having two or more compartments located one immediately above the other.

"NEC" means the National Electrical Code.

"Observation elevator" means an elevator designed for exterior viewing by passengers while the car is traveling.

"One-man capacity manlift" means a single passenger device that:

- (a) Is either hand-powered counterweighted or electric-powered;
- (b) Travels vertically in guides; and
- (c) Serves two or more landings.

"Owner" means any person having title to or control of a conveyance, as guardian, trustee, lessee, or otherwise.

"Passenger elevator" means an elevator used to carry passengers but may also be used to carry freight or materials if the load does not exceed the capacity of the elevator.

"Permit" means a permit issued by the department to construct, alter, install, relocate, or operate a conveyance.

"Person" means an individual, this state, a political subdivision of this state, any public or private corporation, any firm, or any other entity.

"Personnel hoist" means a hoist that is:

- (a) Not part of a permanent structure;
- (b) Installed inside or outside buildings during construction, alteration or demolition;
- (c) Used to raise or lower workers and other persons associated with the building project; and
- (d) Used for the transportation of materials when necessary.

"Power elevator" means an elevator using energy, other than gravitational or manual energy, to move the car.

"Public agency" means a county, incorporated city or town, municipal corporation, state agency, institution of higher education, political subdivision or other public agency and includes any department, bureau, office, board, commission or institution of such public entities.

"Private residence conveyance" means a conveyance installed in or on the premises of a single-family dwelling and used to transport people or property from one elevation to another.

"Rack and pinion elevator" means a power elevator, with or without counterweights, supported, raised and lowered by a motor(s) driving a pinion(s) on a stationary rack mounted in the hoistway.

"Red-tag" or "red-tag status" means an elevator or other conveyance that has been removed from service and operation because of non-compliance with chapter 70.87 RCW and this chapter or at the request of the owner or owner agent.

"Rooftop elevator" means a powered passenger or freight elevator that operates between a roof level landing and a landing below and opens, horizontally, onto a building roof.

"Roped hydraulic elevator" means a hydraulic elevator with its plunger or piston coupled to the car by wire ropes and sheaves.

"Screw column elevator" means a powered elevator with a non-counterweighted car supported, raised and lowered by a screw thread.

"Sidewalk elevator" means a freight elevator that operates between the sidewalk or other areas outside a building and the building floor levels below; and

(a) At its upper travel limit, has no landing opening into the building; and

(b) Is not used to carry automobiles.

"Special purpose personnel elevator" means an elevator that is limited in size, capacity, and speed and is:

(a) Permanently installed in grain elevators, radio antennas, bridge towers, underground facilities, dams, power plants and similar structures; and

(b) Used to vertically transport authorized personnel, their tools and equipment.

"Stairway chair lift" means a lift that travels in an inclined direction and is designed for use by disabled persons.

"Temporary elevator mechanic license" means a temporary license that is issued to a person who has met the requirements established in chapter 70.87 RCW and this chapter.

"USAS" means the U.S.A. Standards.

"WAC" means the Washington Administrative Code.

"Wheelchair lift" means a lift that travels in a vertical or inclined direction and is designed for use by wheelchair users.

"Workmen's construction elevator" means a permanent elevator used temporarily during construction for personnel and materials.

WAC 296-96-00800 Advisory committee on conveyances. The purpose of the advisory committee is to advise the department on the adoption of regulations that apply to conveyances; methods of enforcing and administering the elevator law, chapter 70.87 RCW; and matters of concern to the conveyance industry and to the individual installers, owners and users of conveyances. The advisory committee consists of five persons appointed by the director of the department with the advice of the chief of the elevator section. The committee members shall serve four years.

The committee shall meet on the third Tuesday of February, May, August, and November of each year, and at other times at the discretion of the chief of the elevator section. The committee members shall serve without per diem or travel expenses.

The chief of the elevator section shall be the secretary for the advisory committee.

NEW SECTION:

WAC 296-96-00805 Appeal rights and hearings.

(1) Chapter 70.87 RCW provides the authority for the duties and responsibilities of the department. Except as provided in chapter 70.87 RCW and this chapter, all appeals and hearings will be conducted according to chapter 34.05 RCW the Administrative Procedure Act and chapter 10-08 WAC, Model Rules of Procedure.

<p>(2) A person who contests a notice of violation or infraction issued by the department may request a hearing. The request for a hearing must be:</p> <p>(a) In writing;</p> <p>(b) Accompanied by a certified or cashier's check, payable to the department, for \$200.00; and</p> <p>(c) Postmarked or received by the department within 15 days after the person receives the department's violation notice.</p> <p>(3) In all appeals of chapter 70.87 RCW and this chapter the appellant has the burden of proof by a preponderance of the evidence.</p>	
<p><u>PART B – LICENSES AND FEES FOR ALL ELEVATORS, DUMBWAITERS, ESCALATORS AND OTHER CONVEYANCES</u></p>	
<p><u>NEW SECTION:</u> <u>WAC 296-96-00900 Who is required to be licensed under this chapter?</u></p> <p>(1) Any person, firm, or company wishing to engage in the business of installing, altering, servicing, replacing, or maintaining elevators or other conveyances regulated under chapter 70.87 RCW and this chapter must be a licensed elevator contractor.</p> <p>(2) Any person wishing to engage in installing, altering, repairing, or servicing elevators or other conveyances regulated under chapter 70.87 RCW and this chapter must be a licensed elevator mechanic employed by a licensed elevator contractor.</p>	
<p><u>NEW SECTION:</u> <u>WAC 296-96-00902 Are there exceptions for licensing under chapter 70.87 RCW and this chapter? Yes.</u></p> <p>(1) Elevator mechanic licenses issued under this chapter are not required for individuals installing signal systems, fans, telephones, electric light fixtures, illuminated thresholds and feed wires to the terminals on the elevator main line control provided access to the pit, hoistway, or top of the car is not required for the installation.</p> <p>(2) Elevator mechanic licenses may not be required for certain types of incidental work that is performed to elevators that have been locked out and tagged out by a licensed elevator mechanic in the appropriate category. The department must be notified and must approve the work prior to it being performed.</p>	
<p><u>NEW SECTION:</u> <u>WAC 296-96-00904 What must you do to become a licensed elevator contractor?</u></p> <p>(1) (a) Obtain and maintain a valid specialty or general contractor registration under chapter 18.27 RCW.</p> <p>(b) (i) Until July 1, 2004, any owner or public agency who is not required to be a general or specialty contractor under chapter 18.27 RCW and who wishes to maintain or service conveyances that they own, lease, or have the direct control of will be considered a licensed elevator contractor for purposes of this chapter.</p> <p>(ii) On or after July 2, 2004, any owner or public agency who is not required to be a general or specialty contractor under chapter 18.27 RCW and who wishes to maintain or service conveyances that they own, lease, or have the direct control must comply with licensed elevator contractor requirements in this chapter, including subsection (1)(a) and subsections (2) through (5) of this section.</p> <p>(2) Complete and submit a department-approved application. As part of the application:</p> <p>(a) The person, firm, or company must designate an individual that has a vested interest in the firm</p>	

or company (i.e. officers, partners, owner, supervisor). This individual will serve as the primary point of contact with the department relating to permits, inspections, civil penalties, etc. This individual is also responsible for passing the examination, if required.

(b) The person, firm or company must:

(i) Provide acceptable proof to the department that shows that the person, firm, or company has five years of work experience in the elevator industry in construction, maintenance, and service or repair, as verified by current and previous elevator contractor licenses to do business; or

(ii) Pass a written examination administered by the department on chapter 70.87 RCW and this chapter.

(A) **Applications received before ~~July 1~~October 1, 2003.** The applicant has up to one year from the date of application to pass the examination.

(B) **Applications received on or after ~~July 1~~October 1, 2003.** The applicant may perform the duties of an licensed elevator contractor until the next available examination date. If the applicant does not pass the examination he or she may no longer perform the perform the duties of a licensed elevator contractor until he or she passes the examination.

(iii) **Applications submitted according to subsection (2)(b)(ii)(B) only applies to the initial application submitted by the applicant.**

(3) Pay the fees specified in **WAC 296-96-**.

(4) The department may deny application of a license under this section if the applicant owes outstanding final judgments to the department.

(5) If the individual identified in subsection (2)(a) of this section leaves the firm or company the firm or company must immediately designate a new individual and inform the department of the change. If this firm or company does not meet subsection (2)(b)(i) of this section, this firm or company must make application and the individual, on behalf of the firm or company, must pass the examination within ninety days of the departure of the firm or company's previously designated individual.

NEW SECTION:

WAC 296-96-00906 What must you do to become a licensed elevator mechanic?

(1) Complete and submit a department-approved application. As part of the application the applicant must comply with subsection (a), (b), (c) or (d) of this section.

(a)(i) The applicant must:

(A) Provide acceptable proof to the department that shows an acceptable combination of documented experience and education credits in an applicable license category (see **WAC 296-96-**) of not less than three years' work experience in the elevator industry, in construction, or maintenance and service or repair, as verified by current and previous employers licensed to do business in this state; and

(B) Pass an examination administered by the department on chapter 70.87 RCW and this chapter.

(ii) The following application and examination schedule will be used for licenses issued under this subsection:

(A) **Applications received before ~~July 1~~October 1, 2003.** Upon determination by the department that the applicant has fulfilled the requirements of subsection (1)(a)(i) of this section the applicant may perform the work identified in the particular category without examination and direct supervision for up to one year from the date of application. The applicant must pass the examination before the expiration date to continue performing work as a licensed elevator mechanic.

(B) **Applications received on or after ~~October 1~~July 1, 2003.** Upon determination by the department that the applicant has fulfilled the requirements of subsection (1)(a)(i) of this section the applicant may perform the work identified in the particular category without examination and direct supervision until the next available examination date. If the applicant does not pass the examination he or she may no

<p><u>longer perform the work identified in the particular category without direct supervision until he or she passes the examination.</u></p> <p><u>(iii) Applications submitted according to subsection (1)(a)(ii)(B) only applies to the initial application submitted by the applicant.</u></p> <p><u>(b) The applicant must provide acceptable proof to the department by June 13, 2003 that shows that the applicant has, in applicable license category (see WAC 296-96-_____):</u></p> <p><u>(i) Worked without direct and immediate supervision for an elevator contractor licensed to do business in this state. This employment may not be less than three years immediately before June 13, 2002.</u></p> <p><u>(c) The applicant must provide acceptable proof to the department that shows that the applicant has, in applicable license category (see WAC 296-96-_____):</u></p> <p><u>(i) Obtained a certificate of completion and successfully passed the mechanic examination of a nationally recognized training program for the elevator industry such as the national elevator industry educational program or its equivalent; or</u></p> <p><u>(ii) Obtained a certificate of completion of an apprenticeship program for an elevator mechanic, having standards substantially equal to those of chapter 70.87 RCW and this chapter, and registered with the Washington state apprenticeship and training council under chapter 49.04 RCW.</u></p> <p><u>(d) The applicant must provide acceptable proof to the department that shows that the applicant is holding a valid license from a state having entered into a reciprocal agreement with the department and having standards substantially equal to those of chapter 70.87 RCW and this chapter.</u></p> <p><u>(3) Pay the fees specified in WAC 296-96-_____.</u></p> <p><u>(4) The department may deny application of a license under this section if the applicant owes outstanding final judgments to the department.</u></p>	
<p><u>NEW SECTION:</u></p> <p><u>WAC 296-96-00908 What must you do to become a temporary licensed elevator mechanic?</u></p> <p><u>(1) Complete and submit a department-approved application. As part of the application the applicant must:</u></p> <p><u>(a) Provide an affidavit from a licensed elevator contractor that attests that the temporary mechanic is certified as qualified and competent to perform work under this chapter.</u></p> <p><u>(b) Pay the fees specified in WAC 296-96-_____.</u></p> <p><u>(2) The department may deny application of a license under this section if the applicant owes outstanding final judgments to the department.</u></p>	
<p><u>NEW SECTION:</u></p> <p><u>WAC 296-96-00910 Elevator mechanic license categories. The following are the licensing categories for qualified elevator mechanic or temporary elevator mechanics:</u></p> <p><u>(1) Category (01): A general elevator mechanic license encompasses mechanical and electrical operation, construction, installation, alteration, maintenance, inspection, relocation, and repair of all types of elevators and other conveyances in any location covered under chapter 70.87 RCW and this chapter.</u></p> <p><u>(2) Category (02): This license is limited to the mechanical and electrical operation, construction, installation, alteration, maintenance, inspection, relocation, and repair of the following conveyances:</u></p> <p><u>(a) Wheelchair lifts;</u></p> <p><u>(b) Dumbwaiters;</u></p> <p><u>(c) Limited Use Limited Access Elevators (LULA);</u></p> <p><u>(d) Incline chairlifts;</u></p> <p><u>(e) Material lifts; and</u></p>	

(f) Residential elevators.

(3) **Category (03):** This license is limited to the mechanical and electrical operation, construction, installation, alteration, maintenance, inspection, relocation, and repair of the following conveyances in industrial sites and grain terminals:

- (a) Electric and hand powered manlifts;
- (b) Special purpose elevators; and
- (c) Belt manlifts.

(4) **Category (04):** This license is limited to the mechanical and electrical operation, construction, installation, alteration, maintenance, inspection, relocation, and repair of the following conveyances:

- (a) Temporary personnel hoists;
- (b) Temporary material hoists; and
- (c) Special purpose elevators.

(5) **Category (05):** This license is limited to the mechanical and electrical operation, construction, installation, alteration, maintenance, inspection, relocation, and repair of the following conveyances:

- (a) Residential inclined elevators; and
- (b) Commercial inclined elevators.

(6) **Category (06):** This license is limited to individuals that are certified as qualified and competent by licensed elevator contractors. The contractor shall furnish acceptable proof of competency as the department may require. Each license must recite that it is valid for a period of thirty days from the date of issuance and for such particular elevators or geographical areas as the department may designate, and otherwise entitles the licensee to the rights and privileges of an elevator mechanic license issued under chapter 70.87 RCW and this chapter.

NEW SECTION:

WAC 296-96-00912 How long is the elevator contractor, elevator mechanic, and temporary mechanics licensing period and what is required for renewal? (1) Elevator contractors.

(a) The renewal period is two years from the date of your birthday. If your birth year is:

- (i) In an even-numbered year, your certificate will expire on your birthdate in the next even-numbered year.
- (ii) In an odd-numbered year, your certificate will expire on your birthdate in the next odd-numbered year.

(b) As part of the renewal process you must:

- (i) Complete and submit a department-approved application.
- (ii) Pay the fees specified in **WAC 296-96-_____**.

(2) Elevator mechanics.

(a) The renewal period is two years from the date of your birthday. If your birth year is:

- (i) In an even-numbered year, your certificate will expire on your birthdate in the next even-numbered year.
- (ii) In an odd-numbered year, your certificate will expire on your birthdate in the next odd-numbered year.

(b) As part of the renewal process you must:

- (i) Complete and submit a department-approved application.
- (ii) Attend an approved continuing education course and submit a certificate of completion for the course. The course must consist of not less than eight hours of instruction that must be attended and completed within one year immediately preceding any license renewal.
- (iii) Pay the fees specified in **WAC 296-96-_____**.

(3) Temporary elevator mechanics.

<p>(a) <u>The renewal period is thirty days from the date of issuance.</u></p> <p>(b) <u>As part of the renewal process you must:</u></p> <p>(i) <u>Complete and submit a department-approved application.</u></p> <p>(ii) <u>Pay the fees specified in WAC 296-96-.</u></p> <p>(4) <u>The department may deny renewals of licenses under this section if the applicant owes outstanding final judgments to the department.</u></p>	
<p><u>NEW SECTION:</u> <u>WAC 296-96-00914 Where can you obtain information regarding department approved continuing education course providers?</u> <u>The department will produce a list of all approved training course providers and/or course contact persons that provide continuing education course required under chapter 70.87 RCW and this chapter. This list will be available to all renewal applicants who request it.</u></p> <p><u>The department may also provide continuing education training.</u></p>	
<p><u>NEW SECTION:</u> <u>WAC 296-96-00916 Who approves and what is the process for becoming a continuing education course providers?</u></p> <p>(1) <u>The department approves continuing education course providers.</u></p> <p>(2) <u>The department will review and approve courses.</u></p> <p>(a) <u>All providers seeking course approval, must submit the required information to the department.</u></p> <p>(b) <u>The courses must be taught by instructors through continuing education providers that may include, but are not limited to, association seminars and labor training programs.</u></p> <p>(c) <u>All instructors must be approved by the department and are exempt from the requirements of WAC 296-96- with regard to his or her application for license renewal, provided that such applicant was qualified as an instructor at any time during the one year immediately preceding the scheduled date for such renewal.</u></p> <p>(d) <u>All training courses must conform to and be based upon current standards and requirements governing the operation, construction, installation, alteration, inspection, and repair of elevators and other conveyances.</u></p> <p>(e) <u>All course approval requests must include:</u></p> <p>(i) <u>A general description of the course, including its scope, the instructional materials to be used and the instructional methods to be followed;</u></p> <p>(ii) <u>A detailed course outline;</u></p> <p>(iii) <u>The name and qualifications of the course instructor(s);</u></p> <p>(iv) <u>The locations where the course will be taught;</u></p> <p>(v) <u>The days and hours the course will be offered; and</u></p> <p>(vi) <u>The specific fees associated with the course, as well as, the total cost of the course.</u></p> <p>(f) <u>Training courses are approved for a two-year period.</u></p> <p>(g) <u>It is the responsibility of the provider to annually review and update its courses and to notify the department of any changes.</u></p> <p>(h) <u>The department may withdraw its approval of any training course if it determines the provider is no longer in compliance with the requirements of this chapter. If the department withdraws its approval of a training course, it must give the provider written notification of the withdrawal, specifying the reasons for its decision.</u></p> <p>(i) <u>Approved training providers must keep uniform records, for a period of ten years, of attendance of</u></p>	

licensees and these records must be available for inspection by the department at its request. Approved training providers are responsible for the security of all attendance records and certificates of completion. However, falsifying or knowingly allowing another to falsify attendance records or certificates of completion constitutes grounds for suspension or revocation of the approval required under this section.

NEW SECTION:

WAC 296-96-00918 Are there exceptions from the training course requirements?

Yes.

A licensee who is unable to complete the continuing education course required under this section before the expiration of his or her license due to a temporary disability may apply for a waiver from the department. This will be on a form provided by the department and signed under the pains and penalties of perjury and accompanied by a certified statement from a competent physician attesting to the temporary disability. Upon the termination of the temporary disability, the licensee must submit to the department a certified statement from the same physician, if practicable, attesting to the termination of the temporary disability. At which time a waiver sticker, valid for ninety days, must be issued to the licensee and affixed to his or her license.

NEW SECTION:

WAC 296-96-00920 When and where are elevator licensing examinations held?

Examinations shall be held at locations and times when considered necessary by the department. The department will notify qualified applicants of the date, time, and location of the examination.

NEW SECTION:

WAC 296-96-00922 What are the fees associated with licensing? The following are the department's elevator license fees:

<u>Type of Fee</u>	<u>Period Covered by Fee</u>	<u>Dollar Amount of Fee</u>
<u>Elevator contractor/mechanic</u>	<u>Per application</u>	<u>\$50.00</u>
<u>Elevator contractor/ mechanic</u>	<u>Per examination</u>	<u>\$150.00</u>
<u>Reciprocity application fee*</u>	<u>Per application</u>	<u>\$50.00</u>
<u>Elevator mechanic license</u>	<u>2 years</u>	<u>\$100.00</u>
<u>Elevator contractor license</u>	<u>2 years</u>	<u>\$100.00</u>
<u>Temporary elevator mechanic</u>	<u>30 days</u>	<u>\$25.00</u>
<u>Elevator mechanic/contractor</u>	<u>Two years</u>	<u>\$100.00</u>
<u>Elevator mechanic/contractor late</u>	<u>Two years</u>	<u>\$200.00</u>
<u>Training provider</u>	<u>Two years</u>	<u>\$50.00</u>
<u>Continuing education course fee</u>	<u>One year</u>	<u>Not applicable.</u>

by approved training provider***

Continuing education course fee One year
by the department

Not applicable.

Replacement of all licenses

\$15.00

* Reciprocity application is only allowed for applicants that are applying work experience toward licensing that was obtained in state(s) that the department has a reciprocity agreement with.

** Late renewal is for renewal applications received no later than 90 days after the expiration of the licenses. If the application is not received within 90 days from license expiration the licensee must reapply and pass the competency examination.

*** This fee is paid directly to the continuing education training course provider approved by the department. **This fee is not paid to the department.**

WAC 296-96-00924 What procedures does the department follow when issuing a civil penalty for licensing violations?

(1) If the department determines that an individual has violated the licensing requirements of chapter 70.87 RCW and this chapter, the department may issue a civil penalty describing the reasons for the violation(s). The department may issue a civil penalty to:
(a) An individual who is advertising, offering to do work, submitting bid, or employing elevator mechanics without an elevator contractor license required under chapter 70.87 RCW or this chapter;
or

(b) An individual who is working under chapter 70.87 RCW or this chapter without a valid elevator mechanic license.

(2) An individual may appeal a civil penalty issued under chapter 70.87 RCW or this chapter.

(3) The following enforcement schedule will be used for licenses issued under chapter 70.87 RCW and this chapter:

(a) **July 1 October 1, 2003 through June September 30, 2004.** Any individual, firm, or company that is found in violation of the licensing requirements will be notified of the violation and be allowed ten calendar days to make application with the department to avoid being issued a civil penalty. If the individual, firm, or company does not make application within ten calendar days they will be issued a civil penalty.

(b) **On or after July 1 October 1, 2004.** Any individual, firm, or company that is found in violation of the licensing requirements will be issued a civil penalty.

NEW SECTION:

WAC 296-96-00926 What are the civil (monetary) penalties for violating the licensing requirements of chapter 70.87 RCW and this chapter? (1) A person, firm or company cited for a violation under chapter 70.87 RCW and this chapter may be assessed a civil (monetary) penalty based upon the following schedule:

<u>First Violation</u>	<u>\$500.00</u>
<u>Each Additional</u>	<u>\$500.00</u>

Violation

- (2) Each day a person, firm or company is in violation is considered a separate violation.
- (3) Each job site at which a person is in violation may be considered a separate violation.
- (4) A violation as described in subsection (1) of this section will be a "second" or "additional" violation only if it occurs within one year of the first violation.
- (5) The department must use certified mail to notify the person, firm, or corporation of a violation of chapter 70.87 RCW or this chapter.

NEW SECTION:

WAC 296-96-00928 Revocation or suspension of an elevator mechanic or contractor's license.

- (1) A license issued under this chapter may be suspended, revoked, or subject to civil penalty by the department upon verification that any one or more of the following reasons exist:
 - (a) Any false statement as to a material matter in the application;
 - (b) Fraud, misrepresentation, or bribery in securing a license;
 - (c) Failure to notify the department and the owner or lessee of an elevator or related mechanisms of any condition not in compliance with this chapter; and
 - (d) A violation of any provisions of this chapter.
- (2) The department must remove a suspension or reinstate a revoked license if the licensee pays all the assessed civil penalties and is able to demonstrate to the department that the licensee has met all the qualifications established by this chapter.
- (3) The department must remove a suspension or reinstate a revoked permit if a conveyance is repaired or modified to bring it into compliance with this chapter.

NEW SECTION:

WAC 296-96-00930 What if I owe outstanding penalties related to a department issued elevator licensing infraction? The department may deny renewal or application of your license if you owe outstanding penalties. The department must notify you of their denial by registered mail, return receipt requested. This notice of denial will be mailed to the address on your application.